

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO BOARD OF ZONING ADJUSTMENT**

**April 29, 2019**

A meeting of the Louisville Metro Board of Zoning Adjustment was held on April 29, 2019 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

**Members Present:**

Dwight Young, Chair  
Kimberly Leanhart, Secretary  
Lester Turner, Jr.  
Richard Buttorff  
Lindsey Jagoe

**Members Absent:**

Rosalind Fishman, Vice Chair  
Lula Howard

**Staff Members Present:**

Emily Liu, Planning & Design Director  
Joe Haberman, Planning & Design Manager  
Chris French, Planning & Design Supervisor  
Jon Crumbie, Planning & Design Coordinator  
Steve Hendrix, Planning & Design Coordinator  
Beth Jones, Planner II  
Zach Schwager, Planner I  
Dante St. Germain, Planner II  
Jay Lockett, Planner I  
Paul Whitty, Legal Counsel  
Sue Reid, Management Assistant

The following cases were heard:

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 29, 2019**

**APPROVAL OF MINUTES**

**APRIL 15, 2019 BOARD OF ZONING ADJUSTMENT MEETING MINUTES**

**00:01:56** On a motion by Member Turner, seconded by Member Leanhart, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **APPROVE** the minutes of the meeting conducted on April 15, 2019.

**The vote was as follows:**

**Yes: Members Turner, Leanhart, and Chair Young**

**Abstain: Members Buttorff, and Jagoe**

**Absent: Member Howard, and Vice Chair Fishman**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 29, 2019**

**BUSINESS SESSION**

**CASE NUMBER 19CUP1050**

Request:	Modified Conditional Use Permit for a nursing home and home for the infirm and aged
Project Name:	Artis Senior Living
Location:	4922 Brownsboro Road
Owner/Applicant:	Artis Senior Living of Louisville
Jurisdiction:	Louisville Metro
Council District:	7 – Paula McCraney
Case Manager:	Dante St. Germain, AICP, Planner II

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:02:47** Dante St. Germain presented the case and showed the site plan (see recording for detailed presentation).

**The following spoke in favor of the request:**

No one spoke.

**The following spoke in opposition of the request:**

No one spoke.

**00:04:59 Board Members' deliberation**

**00:05:10** On a motion by Member Turner, seconded by Member Leanhart, the following resolution, based upon the Standard of Review and Staff Analysis, was adopted:

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**BUSINESS SESSION**

**CASE NUMBER 19CUP1050**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the Comprehensive Plan describes the Neighborhood form as containing diverse housing types to provide housing choice for differing ages, incomes and abilities. The proposal complies with this description. The site is located across Brownsboro Road from a Town Center form district with commercial uses. Community Form Goal 2 is to encourage sustainable growth and density around mixed-use centers and corridors. The proposal complies with policies under this goal, and

**WHEREAS**, the Board further finds that the proposal is compatible with surrounding uses and provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements. The proposal provides a transition between residential uses and commercial uses, and

**WHEREAS**, the Board further finds that necessary public facilities are available or being provided by the proposal as demonstrated on the detailed district development plan, and

**WHEREAS**, the Board further finds that:

Nursing Homes and Homes for the Infirm or Aged may be permitted in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All buildings shall be located at least 30 feet from any property line.
- B. One sign, not to exceed 60 square feet and six feet in height, may be placed at each of the major entrances, except in districts where larger signs are allowed.
- C. The Board of Zoning Adjustments shall add any restrictions to mitigate nuisances or adverse effects; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19CUP1050 does hereby **APPROVE** Modified Conditional Use Permit for a nursing home and home for the infirm or aged (LDC Section 4.2.38).

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**BUSINESS SESSION**

**CASE NUMBER 19CUP1050**

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 19VARIANCE1020**

Request: Variance to allow encroachment of required street side setbacks  
Project Name: Anchorage Landmark II  
Location: 2604 Chamberlain Ln  
Owner/Applicant: Ghasem Properties  
Jurisdiction: Louisville Metro  
Council District: 17 – Markus Winkler  
Case Manager: Jay Lockett, AICP, Planner I

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:06:09** Jay Lockett presented the case and showed a Powerpoint presentation (see recording for detailed presentation).

**The following spoke in favor of the request:**

Mark Madison, Milestone Design Group, 108 Daventry Lane, Louisville, KY 40223

**Summary of testimony of those in favor:**

**00:08:56** Mark Madison spoke in favor of the request. Mr. Madison referred to the site plan and responded to questions from the Board Members (see recording for detailed presentation).

**00:13:37** Jay Lockett responded to questions from the Board Members (see recording for detailed presentation).

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**CASE NUMBER 19VARIANCE1020**

**The following spoke in opposition of the request:**

No one spoke.

**00:14:16 Board Members' deliberation**

**00:14:31** On a motion by Member Leanhart, seconded by Member Turner, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**Variance from Land Development Code Section 5.3.4.D.3.a to allow a proposed commercial building to encroach up to 5 feet into the required 25 foot street side setback along Old LaGrange Road as shown on the development plan:**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the requested variance will not adversely affect the public health, safety and welfare as adequate setbacks will still exist on the site and all required fire safety measures will be incorporated into the structure as required by building code, and

**WHEREAS**, the Board further finds that the requested variance will not alter the essential character of the general vicinity, as there is a mix of industrial and commercial uses with a variety of setbacks, and

**WHEREAS**, the Board further finds that the requested variance will not cause a hazard or nuisance to the public, as there will still be adequate sight-lines for drivers around the proposed structure, and

**WHEREAS**, the Board further finds that the requested variance will not allow an unreasonable circumvention of the zoning regulations; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19VARIANCE1020 does hereby **APPROVE** Variance from Land Development Code Section 5.3.4.D.3.a to allow a proposed commercial building to encroach up to 5 feet into the required 25 foot street side setback along Old LaGrange Road as shown on the development plan.

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**CASE NUMBER 19VARIANCE1020**

The vote was as follows:

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**  
**Absent: Member Howard, and Vice Chair Fishman**

**00:15:46** On a motion by Member Leanhart, seconded by Member Turner, the following resolution, based upon the Standard of Review and Staff Analysis, the testimony heard today, and the applicant's justification statement, was adopted:

**Variance from Land Development Code Section 5.3.4.D.3.a to allow a proposed commercial building to encroach up to 18.6 feet into the required 25 foot street side setback along the private access easement as shown on the development plan:**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the requested variance will not adversely affect the public health, safety and welfare as adequate setbacks will still exist on the site and all required fire safety measures will be incorporated into the structure as required by building code, and

**WHEREAS**, the Board further finds that the requested variance will not alter the essential character of the general vicinity, as there is a mix of industrial and commercial uses with a variety of setbacks, and

**WHEREAS**, the Board further finds that the requested variance will not cause a hazard or nuisance to the public, as there will still be adequate sight-lines for drivers around the proposed structure, and

**WHEREAS**, the Board further finds that the requested variance will not allow an unreasonable circumvention of the zoning regulations, and

**WHEREAS**, the Board further finds that the applicant's justification statements adequately justify this request; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19VARIANCE1020 does hereby **APPROVE** Variance from Land Development Code Section 5.3.4.D.3.a to allow a proposed commercial building to encroach



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up to 18.6 feet into the required 25 foot street side setback along the private access easement as shown on the development plan.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 18CUP1165**

Request:	Conditional Use Permit for an Accessory Apartment
Project Name:	Fernwood Accessory Apartment
Location:	1722 Fernwood Avenue
Owner/Applicant:	Scott Bailey
Jurisdiction:	Louisville Metro
Council District:	8 – Brandon Coan
Case Manager:	Beth Jones, AICP, Planner II

**NOTE: This case was heard out of order, after Item #13 on the agenda.**

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:25:19** Beth Jones presented the case and showed a Powerpoint presentation. Ms. Jones responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

Scott Bailey, 1722 Fernwood Ave., Louisville, KY 40205

**Summary of testimony of those in favor:**

**00:28:45** Scott Bailey spoke in favor of the request and responded to questions from the Board Members (see recording for detailed presentation).

**The following spoke in opposition of the request:**

No one spoke.

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**00:31:07 Board Members' deliberation**

**00:31:19** On a motion by Member Leanhart, seconded by Member Turner, the following resolution, based upon the Standard of Review and Staff Analysis, and the presentation, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal is consistent with the Comprehensive Plan, and

**WHEREAS**, the Board further finds that the proposal is compatible with surrounding uses and with the general character of the area, and

**WHEREAS**, the Board further finds that the proposed development does not appear to substantially increase demands on public infrastructure and facilities, and

**WHEREAS**, the Board further finds that:

Accessory Apartments may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5 and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements:

- A. The principal and accessory dwellings shall be owned by the same person(s). Occupancy of the accessory unit shall occur only while the property owner(s) resides in the principal dwelling on the premises.
- B. The accessory apartment shall be no greater than 650 sq. ft. or 30% of the floor area of the principal residence, whichever is greater. **The floor area of the proposed accessory apartment meets this requirement.**
- C. If the accessory apartment is located in a freestanding structure, it shall not exceed the height of the principal residence. In the TNFD, permissible height shall be as allowed by the form district regulation, unless the Board approves a differing height. In all other form districts, if the freestanding structure is located within 25 feet of a property line, the height of the structure shall not exceed the average height of accessory structures on abutting parcels or 15 feet, whichever is greater, unless the Board finds that a different height limit is appropriate. **The proposed height of 21 ft. does not exceed the height of the principal structure and does not exceed the maximum permitted TNFD height of 45 ft.**

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- D. Sites having accessory apartments shall provide off-street parking for the principal and accessory apartment as follows:
1. Neighborhood Form District - at least three off-street spaces provided on the lot, no more than two spaces outdoors;
  2. Traditional Neighborhood - at least one off-street space provided on the lot; and
  3. Other form districts - at least two off-street spaces provided on the lot; the Board may require additional parking spaces as appropriate. **The site is located in a Traditional Neighborhood form district and exceeds off-street parking requirements**; now therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 18CUP1165 does hereby **APPROVE** Conditional Use Permit for an Accessory Apartment (LDC 4.2.3), **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

1. All development shall be in accordance with the approved district development plan, including all notes thereon, and with all applicable sections of the Land Development Code (LDC). No further development shall occur on the site without prior review of and approval by the Board of Zoning Adjustment (BOZA).
2. The Conditional Use Permit shall be exercised as proscribed by KRS 100.237 within two years of BOZA approval. If it is not so exercised, the site shall not be used for an Accessory Apartment without further review and approval by BOZA.
3. The applicant is required to contact Louisville Metro Emergency Services to have a unique address assigned to the accessory apartment.
4. No more than two adults shall reside in the accessory apartment.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**  
**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 19DEVPLAN1031**

Request:	Category 3 Development Plan with Variance and Waivers
Project Name:	Beecher Terrace Phase II
Location:	1000 W Jefferson St
Owner/Applicant:	Louisville Metro Housing Authority
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jay Lockett, AICP, Planner I

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:32:43** Jay Lockett presented the case and showed a Powerpoint presentation. Mr. Lockett responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

Missy Legel, 3404 Stony Spring Circle, Louisville, KY 40220

**Summary of testimony of those in favor:**

**00:38:13** Missy Legel spoke in favor of the request and referred to the site plan. Ms. Legel responded to questions from the Board Members (see recording for detailed presentation).

**The following spoke in opposition of the request:**

No one spoke.

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**PUBLIC HEARING**

**CASE NUMBER 19DEVPLAN1031**

**00:41:43 Board Members' deliberation**

**00:42:17** On a motion by Member Turner, seconded by Member Jagoe, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**Variance from Land Development Code Section 5.2.1.C.6 to allow structures on a corner lot within the Downtown form district to exceed the 0 foot maximum setback within 50 feet of an intersection, applicable on all corners, variance up to 30 feet as shown on the development plan:**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the requested variance will not adversely affect the public health, safety or welfare since the building will be constructed up to all applicable building codes, and

**WHEREAS**, the Board further finds that the requested variance will not alter the essential character of the general vicinity since the area has a mix of housing types and setbacks, and

**WHEREAS**, the Board further finds that the requested variance will not cause a hazard or nuisance to the public since the overall development will provide for a mix of high quality housing to replace older housing on the site, and

**WHEREAS**, the Board further finds that the requested variance will not allow an unreasonable circumvention of the zoning regulations since the overall development will be high density residential development that is in keeping with the zoning district

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19DEVPLAN1031 does hereby **APPROVE** Variance from Land Development Code Section 5.2.1.C.6 to allow structures on a corner lot within the Downtown form district to exceed the 0 foot maximum setback within 50 feet of an intersection, applicable on all corners, variance up to 30 feet as shown on the development plan.

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**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

**00:43:46** On a motion by Member Turner, seconded by Member Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**Waiver #1 from Land Development Code Section 5.2.1.C.2 to not maintain a minimum 3-story street wall along all frontages within the development:**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the waiver will not adversely affect adjacent property owners since there are multiple building frontages and pedestrian connections. The overall development will be a medium- density mix of high quality housing that is in keeping with the area, and

**WHEREAS**, the Board further finds that new development and redevelopment should be compatible with the scale and site design of nearby existing development and with the pattern of development within the form district. The development will be compatible with other development in the area, and

**WHEREAS**, the Board further finds that the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since there is a development pattern proposed for the site that is consistent with the development pattern of the area, and

**WHEREAS**, the Board further finds that the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant since the development pattern required would not be in keeping with the residential development that is proposed to meet housing needs in the area; and

**Waiver #2 from Land Development Code Section 5.8.1.C.1.b to not provide sidewalks at least 84 inches wide in the Downtown form district, applicable to all sidewalks within the development:**

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the waiver will not adversely affect adjacent property owners, as there will still be

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quality sidewalks and street trees on all roadways within and around the development, and

**WHEREAS**, the Board further finds that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. New development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. The waiver would not violate the Comprehensive Plan, as the whole site will have pedestrian connections that integrate into the surrounding area, and

**WHEREAS**, the Board further finds that the extent of the regulation is the minimum necessary to afford relief to the applicant, as 6 foot wide sidewalks will be provided adjacent to all rights-of-way in and around the development site, and

**WHEREAS**, the Board further finds that the strict application of the provisions of this regulation as would create an unnecessary hardship on the applicant, as the required sidewalk widths are beyond what is necessary to serve the residential use proposed; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19DEVPLAN1031 does hereby **APPROVE** Waiver #1 from Land Development Code Section 5.2.1.C.2 to not maintain a minimum 3-story street wall along all frontages within the development and Waiver #2 from Land Development Code Section 5.8.1.C.1.b to not provide sidewalks at least 84 inches wide in the Downtown form district, applicable to all sidewalks within the development.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

**00:44:59** On a motion by Member Turner, seconded by Member Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**Category 3 Development Plan:**



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**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that all of the applicable Guidelines and Policies of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19DEVPLAN1031 does hereby **APPROVE** Category 3 Development Plan.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 19VARIANCE1013**

Request: Variance to allow a fence in the front yard to exceed 42 inches in height  
Project Name: Caledonia Avenue Variance  
Location: 4 Caledonia Avenue  
Owner/Applicant: Thomas Faversham – Deep Creek Builders  
Jurisdiction: Louisville Metro  
Council District: 9 – Bill Hollander  
Case Manager: Zach Schwager, Planner I

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:45:53** Zach Schwager presented the case and showed a Powerpoint presentation. Mr. Schwager responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

Thomas Faversham, 120 Kennedy Ave., Louisville, KY 40206

**Summary of testimony of those in favor:**

**00:50:13** Thomas Faversham spoke in favor of the request and responded to questions from the Board Members (see recording for detailed presentation).

**The following spoke in opposition of the request:**

No one spoke.

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**PUBLIC HEARING**

**CASE NUMBER 19VARIANCE1013**

**00:52:39 Board Members' deliberation**

**00:52:51** On a motion by Member Leanhart, seconded by Member Turner, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the requested variance will not adversely affect the public health, safety or welfare as the proposed fence will not extend to the right-of-way and will not adversely affect vehicular or pedestrian traffic, and

**WHEREAS**, the Board further finds that the requested variance will not alter the essential character of the general vicinity as there are other fences on the alley that are similar in height, and

**WHEREAS**, the Board further finds that the requested variance will not cause a hazard or nuisance to the public as the proposed fence will not obstruct sight lines or create a hazard on the dead-end street, and

**WHEREAS**, the Board further finds that the requested variance will not allow an unreasonable circumvention of the zoning regulations as a variance was approved previously to allow the primary structure to setback 67.5 feet from the front property line. If this variance had not been granted an eight-foot fence would be permitted in the same location; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19VARIANCE1013 does hereby **APPROVE** Variance from Land Development Code Section 4.4.3.A.1.a.i to allow a fence in the front yard setback to exceed 42 inches in height in the Traditional Neighborhood form district (**Requirement 3.5 ft., Request 8 ft., Variance 4.5 ft.**).

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 19VARIANCE1017**

Request: Variance to allow a structure to exceed the required front yard setback and associated waivers to allow parking to be located in front of the building and to allow less than the required interior landscape area

Project Name: Preston Highway Variance

Location: 3008 & 3010 Preston Highway

Owner: Winlo LLC

Representative: Mike Hill – Land Design & Development, Inc.

Jurisdiction: Louisville Metro

Council District: 21 – Nicole George

Case Manager: Zach Schwager, Planner I

**NOTE: This case was heard out of order, prior to Item #4 on the agenda.**

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:17:35** Zach Schwager stated the applicant has requested to continue this case to the May 20, 2019 Board of Zoning Adjustment meeting (see recording for detailed presentation).

**The following spoke in favor of the request:**

Mike Hill, 503 Washburn Ave., Louisville, KY 40222

**Summary of testimony of those in favor:**

**00:18:15** Mike Hill stated there are a few issues in Mr. Schwager's staff report that they would like to go over so they would like to request a continuance to May 20, 2019 (see recording for detailed presentation).

**The following spoke in opposition of the request:**

No one spoke.

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**CASE NUMBER 19VARIANCE1017**

**00:19:01**     **Board Members' deliberation**

**00:19:15**     On a motion by Member Leanhart, seconded by Member Buttorff, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 19VARIANCE1017 to the May 20, 2019 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**

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**PUBLIC HEARING**

**CASE NUMBER 18CUP1163**

Request: **THIS CASE IS BEING CONTINUED TO A DATE UNCERTAIN**  
CUP for Mini-Warehouses  
Project Name: Lyneve Storage Units  
Location: 9202 Lyneve Drive  
Owner: Marshall Enterprises Inc.  
Applicant: Williams Properties  
Representative: Dinsmore & Shohl LLP  
Jurisdiction: Louisville Metro  
Council District: 25 – David Yates  
Case Manager: Beth Jones, AICP, Planner II

**NOTE: This case was heard out of order, prior to Item #4 on the agenda.**

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:20:07** Beth Jones stated the applicant has requested this case be continued to a date uncertain due to an issue with the underlying zoning on the property (see recording for detailed presentation).

**The following spoke in favor of the request:**

No one spoke.

**The following spoke in opposition of the request:**

No one spoke.

**00:20:53 Board Members' deliberation**

**00:21:01** On a motion by Member Leanhart, seconded by Member Buttorff, the following resolution was adopted:

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**CASE NUMBER 18CUP1163**

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 18CUP1163 to a date uncertain.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**  
**Absent: Member Howard, and Vice Chair Fishman**

**BOARD OF ZONING ADJUSTMENT MINUTES**  
**April 29, 2019**

**PUBLIC HEARING**

**CASE NUMBER 19CUP1026**

Request:	Conditional Use Permit for a Private Institutional Use in a Single-Family Residential Zoning District
Project Name:	Sacred Heart Renovation
Location:	3115 Lexington Road
Owner:	Ursuline Society & Academy of Education
Applicant:	Sacred Heart Schools
Representative:	Land Design & Development Inc.
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Beth Jones, AICP, Planner II

**NOTE: This case was heard out of order, after Item #6 on the agenda.**

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency testimony:**

**00:55:00** Beth Jones presented the case and showed a Powerpoint presentation. Ms. Jones responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

Sarah Beth Sammons, Land Design and Development, 503 Washburn Ave., Louisville, KY 40222

**Summary of testimony of those in favor:**

**01:00:54** Sarah Beth Sammons spoke in favor of the request and showed a Powerpoint presentation. Ms. Sammons responded to questions from the Board Members (see recording for detailed presentation).



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**The following spoke in opposition of the request:**

No one spoke.

**01:04:26 Board Members' deliberation**

**01:04:34** On a motion by Member Leanhart, seconded by Member Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the presentation, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal is consistent with the Comprehensive Plan, and

**WHEREAS**, the Board further finds that the proposal is compatible with surrounding uses and with the general character of the area, and

**WHEREAS**, the Board further finds that the proposed development does not substantially increase demands on public infrastructure and facilities; and

**WHEREAS**, the Board further finds that:

Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

- A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.
- B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated. **The proposal has received preliminary approval from DPW.**
- C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of

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Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

- D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).
- E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties. **The applicant has been informed of this requirement. The proposal does not appear to create negative impacts on surrounding residential properties;** now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 19CUP1026 does hereby **APPROVE** Conditional Use Permit for a Private Institutional Use in a Single-Family Residential zoning district (LDC 4.2.65), **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

1. All development shall be in accordance with the approved district development plan, including all notes thereon, and with all applicable sections of the Land Development Code (LDC). No further development shall occur on the site without prior review of and approval by the Board of Zoning Adjustment (BOZA).
2. The Conditional Use Permit shall be exercised as proscribed by KRS 100.237 within two years of BOZA approval. If it is not so exercised, the site shall not be used for a Private Institutional Use without further review and approval by BOZA.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**  
**Absent: Member Howard, and Vice Chair Fishman**

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**01:05:27 Meeting was recessed.**

**01:05:56 Meeting was reconvened.**

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**CASE NUMBER 18CUP1212**

Request:	Conditional Use Permit for a short term rental of dwelling units not the primary residence of the host
Project Name:	E. Washington Short Term Rental
Location:	936 E. Washington Street
Owner/Applicant:	Uncle Karl Dyson LLC
Host:	David Orange
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Beth Jones, AICP, Planner II

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**01:06:10** Beth Jones presented the case and showed a Powerpoint presentation. Ms. Jones stated she does not think the upstairs bedrooms meet the requirements, but the applicant does have a murphy bed on the ground floor. Ms. Jones provided an email to the Board Members that was received after the deadline. Ms. Jones responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

David Orange, 1427 Texas Ave., Louisville, KY 40217  
Jorge Serrano, 4012 Dupont Circle, #308, Louisville, KY 40207

**Summary of testimony of those in favor:**

**01:11:47** David Orange spoke in favor of the request. Mr. Orange provided the sale listing of the property from when he purchased it to the Board Members.

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Mr. Orange provided a letter of support to the Board Members. Mr. Orange provided some photographs and responded to questions from the Board Members (see recording for detailed presentation).

**01:20:11** Joe Haberman, Planning & Design Manager, spoke in regard to the bedrooms. Mr. Haberman stated during Beth's site inspection the upstairs bedrooms did not appear to meet the minimum requirements. Mr. Haberman stated it is not Planning & Design's responsibility to enforce the property maintenance code. Mr. Haberman stated if the property owner were to go to Property Maintenance, there are provisions for older, historic houses, but that would be a Property Maintenance decision (see recording for detailed presentation).

**01:21:19** Mr. Orange responded to questions from the Board Members (see recording for detailed presentation).

**01:29:09** Jorge Serrano spoke in favor of the request and responded to questions from the Board Members (see recording for detailed presentation).

**The following spoke in opposition of the request:**

Charles Davis, 927 Franklin Street, Louisville, KY 40206

Kari Haan, 824 E. Washington St., Louisville, KY 40206

**Summary of testimony of those in opposition:**

**01:31:35** Charles Davis spoke in opposition of the request and responded to questions from the Board Members (see recording for detailed presentation).

**01:34:56** Kari Haan spoke in opposition of the request (see recording for detailed presentation).

**REBUTTAL:**

**01:40:14** David Orange spoke in rebuttal (see recording for detailed presentation).

**01:44:31** **Board Members' deliberation**

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**01:52:10** On a motion by Member Leanhart, seconded by Member Buttorff, the following resolution, based upon the Standard of Review and Staff Analysis, and the presentations, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposed use is consistent with Comprehensive Plan policies, and

**WHEREAS**, the Board further finds that when appropriately managed, the proposed use is compatible with surrounding development and land uses. No exterior construction or alterations to the building or the site appear to be required, and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposed use does not appear to create substantial additional requirements for the site, and

**WHEREAS**, the Board further finds that:

A short term rental of dwelling unit that is not the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and a short term rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals. **The residence has two bedrooms in a second story; they do not appear to meet Louisville Metro Ordinance requirements for ceiling height. LDC regulations permit up to four guests.**
- D. The dwelling unit shall be a single-family residence, duplex or condominium. This provision shall not be waived or adjusted. **PVA lists the existing structure as a single-family residence.**

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- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- F. Outdoor signage which identifies the short term rental is prohibited.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the short term rental use shall be removed when the short term rental use is terminated. **Based on LDC requirements, the site can be credited with one on-street parking space. There is additional on-street space available within 50 ft. There is no off-street parking associated with the site.**
- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 18CUP1212 does hereby **APPROVE** Conditional Use Permit to allow short term rental of a dwelling unit not the primary residence of the host (LDC 4.2.63), **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

1. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental with Develop Louisville and with the Louisville Metro Revenue Commission. If the short term rental is not registered with Develop Louisville and with the Revenue Commission within 60 days of the approval of the minutes of this case, then the Conditional Use Permit shall be deemed null and void.
2. The short term rental and host shall meet all additional provisions set forth in the Louisville Metro Code of Ordinances.
3. The maximum number of guests permitted in the short term rental shall be the lesser of six (6), or that permitted by the Louisville Metro Code of Ordinances.

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4. The advertisement for the short term rental shall indicate the maximum number of cars shall be limited to two (2) per rental.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Leanhart, and Chair Young**

**No: Member Turner**

**Absent: Member Howard, and Vice Chair Fishman**



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**CASE NUMBER 18CUP1210**

Request:	Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the host
Project Name:	Turner Short Term Rental
Location:	1033 East Burnett Avenue
Owner:	Turner Homes, LLC
Applicant:	David Orange
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Jon E. Crumbie, Planning and Design Coordinator

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**01:54:03** Jon Crumbie presented the case and showed a Powerpoint presentation. Mr. Crumbie responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

David Orange, 1427 Texas Ave., Louisville, KY 40217

**Summary of testimony of those in favor:**

**01:58:18** Mr. Crumbie provided photographs from the applicant to the Board Members. David Orange spoke in favor of the request and responded to questions from the Board Members (see recording for detailed presentation).

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**The following spoke in opposition of the request:**

No one spoke.

**02:06:58 Board Members' deliberation**

**02:07:30** On a motion by Member Leanhart, seconded by Member Jagoe, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds that the proposal does not conflict with Comprehensive Plan policies, and

**WHEREAS**, the Board further finds that when appropriately managed, the proposed use is compatible with surrounding development and land uses, and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site, and

**WHEREAS**, the Board further finds that:

Short Term Rental Term Rental of a dwelling unit that is not the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals. **The applicant states that the**

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**residence has three bedrooms that will allow a maximum number of ten guests.**

- D. The dwelling unit shall be a single-family residence or duplex. This provision shall not be waived or adjusted.
- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- F. Outdoor signage which identifies the short term rental is prohibited.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the short term rental use shall be removed when the short term rental use is terminated. **There is an existing gravel area at the rear of the property used for parking. The site has credit for one on-street parking space.**
- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 18CUP1210 does hereby **APPROVE** Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner in an R-5 zoning district and Traditional Neighborhood form district, **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

- 1. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental with Develop Louisville and with the Louisville Metro Revenue Commission. If the short term rental is not registered with Develop Louisville and with the Revenue Commission within 60 days of the approval of the minutes of this case, then the Conditional Use Permit shall be deemed null and void.

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2. The short term rental and host shall meet all additional provisions set forth in the Louisville Metro Code of Ordinances.
3. The maximum number of guests permitted in the short term rental shall be the lesser of six (6), or that permitted by the Louisville Metro Code of Ordinances.

**The vote was as follows:**

**Yes: Members Jagoe, Turner, Leanhart, and Chair Young**

**No: Member Buttorff**

**Absent: Member Howard, and Vice Chair Fishman**

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**CASE NUMBER 18CUP1213**

Request:	Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the host
Project Name:	Thomas Short Term Rental
Location:	932 East Oak Street
Owner:	Uncle Karl Dyson, LLC
Applicant:	David Orange
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jon E. Crumbie, Planning and Design Coordinator

The staff report prepared for this case was incorporated into the record. The Board members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at Planning and Design Services offices, 444 South 5<sup>th</sup> Street.)

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**02:08:55** Jon Crumbie presented the case and showed a Powerpoint presentation. Mr. Crumbie responded to questions from the Board Members (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

David Orange, 1427 Texas Ave., Louisville, KY 40217

**Summary of testimony of those in favor:**

**02:12:08** David Orange spoke in favor of the request and provided photographs to the Board Members. Mr. Orange responded to questions from the Board Members (see recording for detailed presentation).

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**The following spoke in opposition of the request:**

No one spoke.

**02:16:16 Board Members' deliberation**

**02:16:39** On a motion by Member Leanhart, seconded by Member Jagoe, the following resolution, based upon the Standard of Review and Staff Analysis, and the testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Board of Zoning Adjustment finds the proposal does not conflict with Comprehensive Plan policies, and

**WHEREAS**, the Board further finds that when appropriately managed, the proposed use is compatible with surrounding development and land uses, and

**WHEREAS**, the Board further finds that the subject property is served by existing public utilities and facilities. The proposal will not create substantial additional requirements for the site, and

**WHEREAS**, the Board further finds that:

Short Term Rental Term Rental of a dwelling unit that is not the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals. **The applicant states that the**

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**residence has three bedrooms that will allow a maximum number of ten guests.**

- D. The dwelling unit shall be a single-family residence or duplex. This provision shall not be waived or adjusted.
- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- F. Outdoor signage which identifies the short term rental is prohibited.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the short term rental use shall be removed when the short term rental use is terminated. **There is an existing paved area at the rear of the property used for parking that will allow two cars. The site has credit for one on-street parking space.**
- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6; now, therefore be it

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment in Case Number 18CUP1213 does hereby **APPROVE** Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the owner in an R-6 zoning district and Traditional Neighborhood form district, **SUBJECT** to the following Conditions of Approval:

Conditions of Approval:

- 1. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental with Develop Louisville and with the Louisville Metro Revenue Commission. If the short term rental is not registered with Develop Louisville and with the Revenue Commission within

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60 days of the approval of the minutes of this case, then the Conditional Use Permit shall be deemed null and void.

2. The short term rental and host shall meet all additional provisions set forth in the Louisville Metro Code of Ordinances.
3. The maximum number of guests permitted in the short term rental shall be the lesser of six (6), or that permitted by the Louisville Metro Code of Ordinances.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**

**Absent: Member Howard, and Vice Chair Fishman**



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**CASE NUMBER 18CUP1172**

Request: **THIS CASE IS BEING CONTINUED TO 5/20/19**  
Conditional Use Permit for a short-term rental of a dwelling unit that is not the primary residence of the host

Project Name: Snyder Short Term Rental  
Location: 2808 Yorkshire Boulevard  
Owner/Applicant: David Snyder  
Jurisdiction: Louisville Metro  
Council District: 26 – Brent Ackerson  
Case Manager: Jon E. Crumbie, Planning & Design Coordinator

**NOTE: This case was heard out of order, prior to Item #4 on the agenda.**

**An audio/visual recording of the Board of Zoning Adjustment hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Agency Testimony:**

**00:21:52** Jon Crumbie stated a continuance is requested on this case to May 20, 2019 to allow the applicant an opportunity to hold a neighborhood meeting. Mr. Crumbie stated the applicant held a neighborhood meeting originally, but the proper notification was not sent (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**

David Snyder, 975 Breckenridge Lane, #156, Louisville, KY 40207

**Summary of testimony of those in favor:**

**00:22:40** David Snyder stated he agrees with what the Case Manager said, and he is requesting a continuance to the May 20, 2019 Board of Zoning Adjustment meeting (see recording for detailed presentation).

**The following spoke in opposition of the request:**

No one spoke.

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**00:23:26**     **Board Members' deliberation**

**00:23:31**     On a motion by Member Leanhart, seconded by Member Buttorff, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Board of Zoning Adjustment does hereby **CONTINUE** Case Number 18CUP1172 to the May 20, 2019 Board of Zoning Adjustment meeting.

**The vote was as follows:**

**Yes: Members Buttorff, Jagoe, Turner, Leanhart, and Chair Young**  
**Absent: Member Howard, and Vice Chair Fishman**

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**02:18:00** Prior to adjournment, Joe Haberman, Planning & Design Manager, provided the Board Members with a brief summary of the changes to short term rentals proposed by Metro Council.

The meeting adjourned at approximately 3:40 p.m.

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**Chair**

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**Secretary**